

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
NORTHERN DIVISION AT KNOXVILLE**

**MARIO ALMANZA, JESUS CASTANEDA, )  
FERNANDO SENDANO GONZALEZ, )  
HUMBERTO N. SEVERIANO )  
LEOPOLDO NICOLAS SEVERIANO )  
JOSE ANTONIO ORIHUELA OCHOA )  
PRISCILIANO SANTIAGO LOPEZ )  
ZEFERINO CASTRO C )  
DIEGO BAILON, ZAHIR RODAS )  
ARTURO ALMANZA, ISMAEL SEVERIANO )  
CESAR PERES (VALLDES-CEDILLO )  
ROLANDO MENDOZA, RAFAEL CHIQUILLO )  
CESAR GALEANA B., )  
JOSE MARIA PADILLA BOYSO )  
JOSE BAUTISTA, JUAN BAUTISTA, )  
EUSEBIO ESTRADA TREJO, )  
ALEJANDRO SALAZAR SORIA, and )  
SERGIO A. GOMEZ )  
Plaintiffs, )  
vs. )  
BAIRD TREE COMPANY, INC )  
BOBBY D. BAIRD )  
Defendant. )**

**No. 3:10-cv-311**

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**MOTION FOR PRELIMINARY INJUNCTION**

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Come the Plaintiffs, by and through counsel, and respectfully move the court pursuant to Federal Rule of Civil Procedure 65 for the entry of a preliminary injunction restoring Plaintiff Prisciliano Santiago Lopez to his employment at Baird Tree Company, Inc., and enjoin the Defendants from further retaliatory acts against the Plaintiffs as described in the attached affidavits of the Plaintiffs in violation of 29 U.S.C. §215 or any other provisions of the Fair Labor Standards Act, 29 U.S.C §101 et seq. In support of

this Motion, Plaintiffs submit a Memorandum of Facts and Law, and if the court deems necessary, respectfully request a hearing on this application.

WHEREFORE, Plaintiffs respectfully request the court enter a preliminary injunction restoring Plaintiff to his employment at Baird Tree Company, Inc. after he was terminated as more fully explained in the Memorandum of Law and enjoining Defendants from further retaliatory acts against other Plaintiffs, as prohibited by the Fair Labor Standards Act, 29 U.S.C §101 et seq.

Respectfully submitted this 6<sup>th</sup> day of December, 2010.

s/Arthur F. Knight, III  
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#### **CERTIFICATE OF SERVICE**

I hereby certify that on December 6, 2010, a copy of the foregoing document was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by U.S. Mail. Parties may access this filing through the Court's electronic filing system.

s/Arthur F. Knight, III  
Arthur F. Knight, III